

## REMARKS

This application has been reviewed in light of the final Office Action dated March 5, 2004. In view of the foregoing amendments and the following remarks, favorable reconsideration and withdrawal of the rejections set forth in the Office Action are respectfully requested.

Claims 1-4 and 7-10 are pending. Claims 1, 9 and 10 have been amended. Support for the claim changes can be found in the original disclosure, and therefore no new matter has been added. Claims 1, 9 and 10 are in independent form.

A Substitute Specification is being submitted herewith to improve the form of the specification.

Claims 1 and 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,325,488 (*Beerling et al.*) in view of U.S. Patent No. 6,188,414 (*Wong et al.*). Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Beerling et al.* and *Wong et al.* and further in view of U.S. Patent No. 5,796,416 (*Silverbrook*). In response to these rejections, Applicants submit the following remarks.

Applicants submit that amended independent Claims 1, 9 and 10, together with the remaining claims dependent thereon, are patentably distinct from the proposed combination of the cited prior art at least for the following reasons.

One of the features of the invention as set forth in independent Claim 1 is a sealing member for electrically conductively sealing and covering a connection electrode, a bump electrode, and an electrical wiring member on a stepped surface, wherein the sealing member does not extend to an ink-discharge-side surface of a discharge port. Due to this feature, the

discharge port can be positioned near a recording medium without interference caused by the sealing member.

An example of this feature is illustrated in Fig. 1. As shown therein, sealing member 70 electrically conductively seals and covers connection electrode 50, bump electrode 80, and electrical wiring member 60 on a stepped surface, and sealing member 70 does not extend to the ink-discharge-side surface of discharge port 40. In the illustrated embodiment, the ink-discharge-side surface of discharge port 40 is the surface of discharge port 40 that is parallel to energy generating member 21 and farthest from energy generating member 21 (i.e., the uppermost surface of discharge part 40, as shown in Fig. 1). As seen in the figure, sealing member 70 does not extend to the ink-discharge-side surface of discharge port 40, but only to a point before (in Fig. 1, below) that surface. (Of course, the detail of the drawings is not to be taken as limiting the scope of the claims.)

*Beerling et al.* relates to an inkjet printhead for wide area printing. Applicants submit that, as conceded by the Office Action, *Beerling et al.* does not teach or suggest a sealing member such as is recited in Claim 1.

*Wong et al.* relates to an inkjet printhead with a preformed substrate. The Office Action states that “Wong et al. teaches (Fig. 5B) an ink jet print head having a sealing member (110) that covers the electrical connections and not extend beyond the discharge port.” As shown in Fig. 5B of *Wong et al.*, encapsulant 110 extends to the ink-discharge-side surface of ink ejecting orifice 208, i.e., to the uppermost surface of 208 in Fig. 5B. Applicants submit that nothing in *Wong et al.* would teach or suggest at least that a sealing member does not extend to an ink-discharge-side surface of a discharge port.

*Silverbrook* was cited in the Office Action as teaching a substrate made of single crystal silicon. Applicants submit that *Silverbrook* does not remedy the deficiencies of *Beerling et al.* or *Wong et al.* discussed above.

Since none of the cited references, whether taken singly or in combination (even assuming, for the sake of argument, that such combination were permissible), contains all of the elements of independent Claim 1, that claim is believed allowable over the cited art. Since independent Claims 9 and 10 recite features similar or identical to those recited in Claim 1, Claims 9 and 10 are believed allowable for at least the same reasons.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in cursive script, reading "Douglas W. Pinsky", written over a horizontal line.

Attorney for Applicant  
Douglas W. Pinsky  
Registration No. 46,994

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
DWP/tmc